

US Army Corps of Engineers

PUBLIC NOTICE

NUMBER: 23018N DATE: April 15, 1998 RESPONSE REQUIRED BY: May 15, 1998

Regulatory Branch 333 Market Street San Francisco. CA 94105-2197

PERMIT MANAGER: Michael Lamprecht PHONE: 707-443-0855 email: mlamprecht@smtp.spd.usace.army.mil

- 1. INTRODUCTION: Mr. Joel Canzoneri, Principal Administrative Assistant for the City of Eureka, at 531 K Street in the city of Eureka, California 95501-1165, phone (707)441-4265, has applied for a Department of the Army permit to renovate Eureka's small boat basin in the city of Eureka, Humboldt County, California. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
- 2. **PROJECT DESCRIPTION:** As shown in the attached drawings, the applicant plans to replace the existing boat dock structure, reconstruct a boat ramp, remove another boat ramp, and riprap approximately 1850 feet of bank (See attached drawings Sheets 1 to 12 of 12). The dock system will cover approximately 39,000 square feet of open water and provide berthing for 144 vessels. The existing dock system covers approximately 26,050 square feet and serves 134 vessels. In order to riprap the banks, the applicant proposes to excavate approximately 9,500 cubic yards of mud and rocky material to construct the toe of the riprap.
- 3. STATE APPROVALS: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must obtain a State water quality certification or waiver before a Corps permit may be issued. The applicant is notified by this Public Notice that, unless he provides the Corps with evidence of a valid request for state water quality certification to the Santa Rosa Regional Water Quality Board within 30 days of the date of this public notice, the Corps may consider this

application withdrawn. No Corps permit will be granted until the applicant obtains the required certification or waiver. A waiver shall be explicit, or it will be deemed to have occurred if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issues that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, North Coast Region, 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403, by the close of the comment period of this public notice.

In addition, Section 307(c) of the Coastal Zone Management Act of 1972, as amended (16 USC 1456(c)) requires any non-federal applicant for a federal license or permit to conduct an activity affecting land or water uses in the state's coastal zone to furnish a certification that the proposed activity will comply with the state's coastal zone management program. Generally, no permit will be issued until the state (California Coastal Commission) has concurred with the non-federal applicant's certification. If the California Coastal Commission fails to concur or object to a certification statement from the permit applicant, then the state agency concurrence with the certification statement within six months of the state agency's receipt of the certification statement shall be conclusively presumed (33 CFR Part 325.2(b)(2)(ii) and 33 CFR Part 320.3(b)).

According to a review of California Coastal Commission jurisdiction maps, the proposed Project appears to be in California Coastal Commission jurisdiction. As of the date of this Public Notice, there has been no written evidence confirming or denying that a Coastal Development Permit is required from the Coastal Commission or other entity.

4. PRELIMINARY ENVIRONMENTAL

ASSESSMENT: The Corps of Engineers has assessed the environmental impacts of the action proposed in accordance with the requirements of the National Environmental Policy Act of 1969 (Public Law 91-190), and pursuant to Council on Environmental Quality's Regulations, 40 CFR 1500-1508, and Corps of Engineers' Regulations, 33 CFR 230 and 325, Appendix B. Unless otherwise stated, the Preliminary Environmental Assessment describes only the impacts (direct, indirect, and cumulative) resulting from activities within the jurisdiction of the Corps of Engineers. The Environmental Matrix used in the preparation of this Preliminary Environmental Assessment is on file in the Regulatory Branch, Eureka Field Office, Corps of Engineers, P.O. Box 4863, Eureka, California.

The Preliminary Environmental Assessment resulted in the following findings:

a. IMPACTS ON THE AQUATIC ECOSYSTEM

(1) <u>PHYSICAL/CHEMICAL</u> <u>CHARACTERISTICS AND ANTICIPATED</u> <u>CHANGES</u>

Substrate - Approximately 51,600 square feet of the bay would be covered with riprap. Presently, approximately 21,600 square feet of this area is mudflat, 11,000 square feet of eelgrass, 2,500 square feet of salt marsh and the remainder being rocky intertidal and deep water habitat. The Corps has previously authorized a maintenance dredging project which would remove approximately 6,000 square feet of the eelgrass

beds making them deepwater.

Erosion/Sedimentation Rate - The proposed project would reduce erosion coming from upland sources into the bay. The parking lot to the west has suffered severe erosion affecting the adjacent mudflat and eel grass beds. The riprap would virtually eliminate upland soil filling in these special aquatic sites.

Water Quality - Temporary increases in turbidity would occur as machinery removes mud and soil from the bay. Discharges into the aquatic ecosystem may be moderate if the area is open to the tidal currents. The applicant proposes to either suction dredge or use a clam shell dredge depending on bids from contractors. In either case, material would be placed in the parking lot to the west to drain and then disposed of at an upland location. Changes in substrate would also be a moderate impact, but the applicant is proposing a mitigation plan. See biological characteristics below. The applicant is proposing to excavate the footing for the riprap during the winter months when turbidity levels are naturally higher. Expected impacts under such a procedure are expected to be minor to moderate, short-term and adverse if adjacent eelgrass beds are not protected from siltation.

(2) <u>BIOLOGICAL CHARACTERISTICS AND ANTICIPATED CHANGES</u>

Mud Flats (Special Aquatic Site) - Mudflats are areas which are fully exposed at low tide and entirely inundated by water at high tide. Mudflats are rich in invertebrate life upon which most of the avian wildlife of Humboldt Bay is dependent. Approximately 21,600 square feet of mudflats would be covered by riprap and a cement boat ramp. The applicant is proposing to excavate 21,600 square feet of upland and convert it to an intertidal mudflat. The site location is marked in the attached drawings on sheet 1 of 12. The design, however, has not been formalized. The proposed mitigation site is mainly upland with a fringe of degraded mudflat along the periphery.

Pieces of metal flakes and discarded trash cover the mudflat. Provided the mitigation is successful, a neutral impact is expected.

Vegetated Shallows (Special Aquatic Site) -Eelgrass beds in Humboldt Bay exert an important influence on the sedimentary regime and distribution of infaunal organisms, and the occurrence and density of fish and birds. Eelgrass is the major food of black brant and other waterfowl species. In addition, the Federally listed threatened southern Oregon/northern California coastal (SONCC) coho salmon, (Oncorhynchus kisutch), are known to be present within Humboldt Bay. Juvenile salmonids rear in eelgrass areas and feed on animals that live on the eelgrass blades. The proposed project would impact approximately 6,000 square feet eel grass beds. The beds to be affected exist as a strip of vegetation along the waterfront. The applicant is proposing to create a 7,900 square foot eelgrass bed as described in Sheets 5a and 7 of 12. The bed would be one block of area. Provided the mitigation is successful the net impact would be moderately beneficial.

Endangered Species - The Corps has determined that the proposed project may affect the SONCC coho salmon, a species listed as threatened under the Endangered Species Act (ESA). The Corps is initiating consultation with the National Marine Fisheries Service under the ESA as required by Section 7 of the Endangered Species Act.

b. IMPACTS ON RESOURCES OUTSIDE THE AQUATIC ECOSYSTEM

(1) <u>PHYSICAL CHARACTERISTICS AND ANTICIPATED CHANGES</u>

<u>Air Quality</u> - Project activity would have minor, short-term impacts on air quality in the vicinity of the project site. Based on the relative minor size of the proposed project and limited to an

evaluation of air quality impacts only within Corps of Engineers' (Corps) jurisdictional areas, the Corps has determined that the total direct and non-direct project emissions would not exceed the de minimis threshold levels of 40 CFR 93.153. Therefore, the proposed project would conform to the State air quality implementation Plan (SIP) for California.

Noise Conditions - Short-term increases in noise levels is expected during the construction of the project. Elevated noise impacts are expected to last for about a year during the construction phase of the project. This is expected to be a minor, short-term, adverse impact.

(2) SOCIOECONOMIC CHARACTERISTICS AND ANTICIPATED CHANGES

Aesthetic Quality - The proposed project would clean up the shoreline of the small boat basin. Pieces of concrete, metal and rebar lie along portions of the mudflat adjacent to the old boat ramp. In addition, the old retaining wall made of concrete bags is sagging and breaking apart. The project would remove the debris and replace the wall with rock riprap. The project would result in a minor, long-term beneficial impact to the aesthetics of the area.

<u>Commercial Fishing</u> - The proposed project would increase the boat basin's size and facility capability. New bathrooms, oil separation units in the parking lot and buildings would be constructed. This would have a moderate, long-term beneficial impact to the fishing community by providing increased comfort levels and work capabilities.

<u>Economics</u> - The proposed project is expected to increase the commercial fishing fleet residing in Eureka, as well as augment the recreational-type vessels visiting Eureka. A minor beneficial impact to the local economy is expected from the

employment created by the project construction and a subsequent increase in tourism as transient vessels dock at the boat basin.

(3) <u>HISTORIC - CULTURAL</u> <u>CHARACTERISTICS AND ANTICIPATED</u> CHANGES

A Corps of Engineers archaeologist is currently conducting a cultural resources assessment of the permit area, involving review of published and unpublished data on file with city, State, and Federal agencies. If, based upon assessment results, a field investigation of the permit area is warranted, and cultural properties listed or eligible for listing on the National Register of Historic Places are identified during the inspection, the Corps of Engineers will coordinate with the State Historic Preservation Officer to take into account any project effects on such properties.

c. SUMMARY OF INDIRECT IMPACTS

During the reconstruction of the dock, vessels will have to find temporary moorage outside of the small boat basin. The city of Eureka has already informed the vessel owners of the need to locate temporary moorage. A long-term reduction in siltation would occur along the shoreline as the riprap would stabilize the western parking lot.

d. SUMMARY OF CUMULATIVE IMPACTS

The city of Eureka is proposing a Fisherman's terminal and a Fisherman's Wharf. Both future projects are aimed at revitalizing the waterfront and bringing the public into contact with the fishing fleet. Increases in tourism in Eureka is expected to occur.

e. CONCLUSIONS & RECOMMENDATIONS

Based on an analysis of the above identified impacts, a preliminary determination has

been made that it will not be necessary to prepare an Environmental Impact Statement (EIS) for the subject permit application. The Environmental Assessment for the proposed action has however, not yet been finalized and this preliminary determination may be reconsidered if additional information is developed.

5. EVALUATION OF ALTERNATIVES:

Evaluation of this activity's impacts includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b) of the Clean Water Act (33 U.S.C. 1344(b)). An evaluation was made by this office under the 404(b)(1) guidelines and it was determined that the proposed project is water dependent.

6. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors which become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision will reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion,

recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

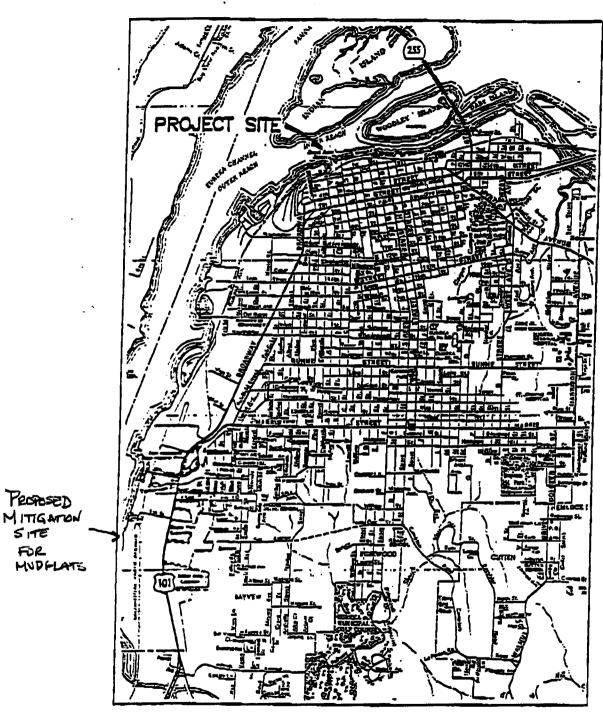
7. CONSIDERATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

8. SUBMISSION OF COMMENTS: Interested parties may submit in writing any comments concerning this activity. Comments should include the applicant's name, the number, and the date of this notice and should be forwarded so as to reach this office within the comment period specified on page one of this notice. Comments should be sent to: Lieutenant Colonel Richard G. Thompson, District Engineer, Attention: Michael Lamprecht, Eureka Field Office, P.O. Box 4863, Eureka, California, 95502. It is Corps policy to forward any such comments which include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with

particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose address is indicated in the first paragraph of this notice, or by contacting Michael Lamprecht of our office at telephone 707-443-0855 or email at:

mlamprecht@smtp.spd.usace.army.mil

Details on any changes of a minor nature which are made in the final permit action will be provided on request.



PURPOSE: EUREKA SMALL BOAT BASIN REHABILITATION

DATUM: MLLW

5 1TE FOR

ADJACENT PROPERTY OWNERS:

- 1. CITY OF EUREKA
- 2. SOUTHERN PACIFIC TRANS.

3. NORTH COAST RAILROAD

NO SCALE PROJECT No: 23018

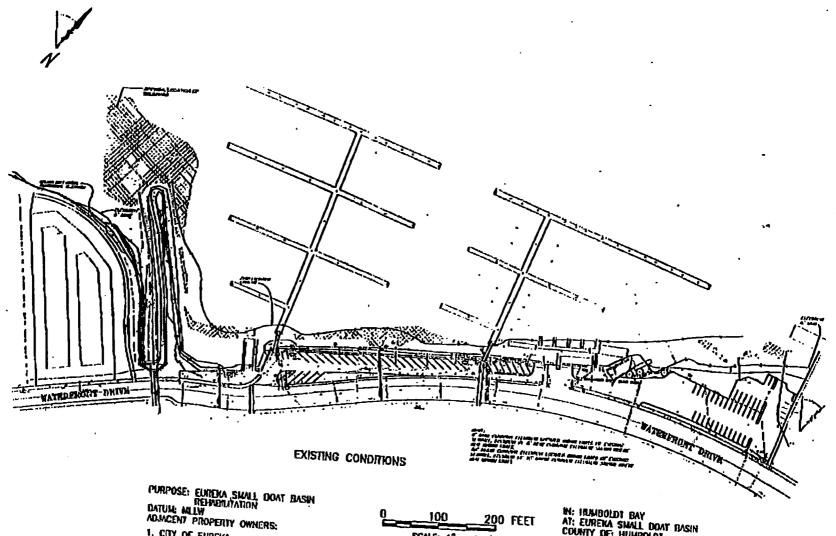
CITY OF EUREKA 531 K STREET EUREKA, CALIFORNIA

IN: HUMBOLDT BAY AT: EUREKA SMALL BOAT BASIN COUNTY OF: HUMBOLDT STATE: CALIFORNIA

APPLICATION BY: CITY OF EUREKA

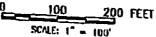
SHEET: 1/12 DATE: MARCH 1998

See Sheets 4a and 4b for greater detail



1. CITY OF EUREKA

2. SOUTHERN PACIFIC TRANS.



CITY OF FUREKA

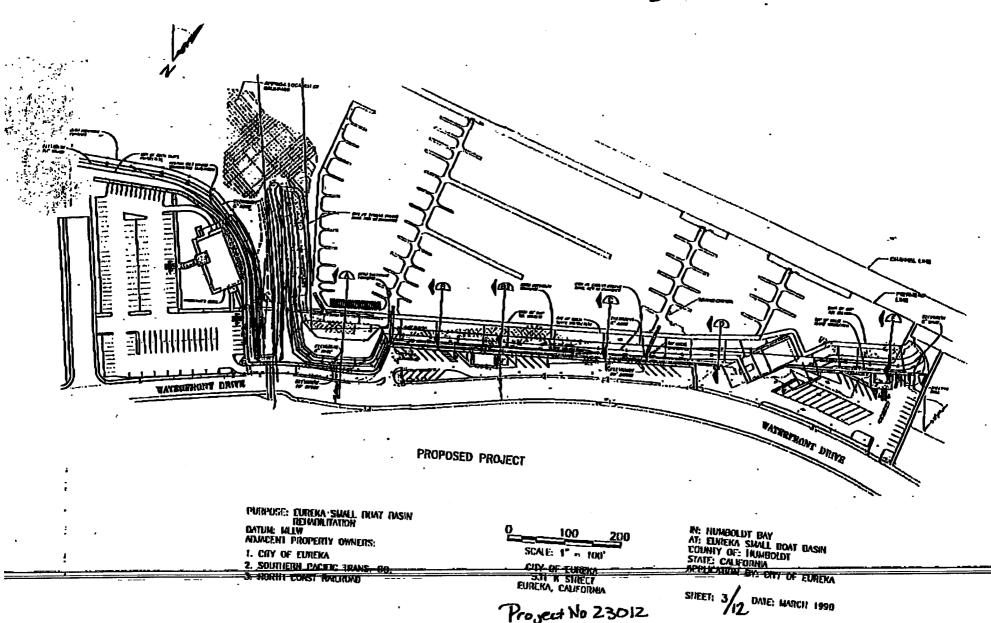
EUREIM, CALIFORNIA

M: IRAMBOLDT BAY
AT: EURERA SMALL DOAT BASIN
COUNTY OF: HUMBOLDT
STATE: CAUFORNA
APPLICATION BY: CITY OF EURERA

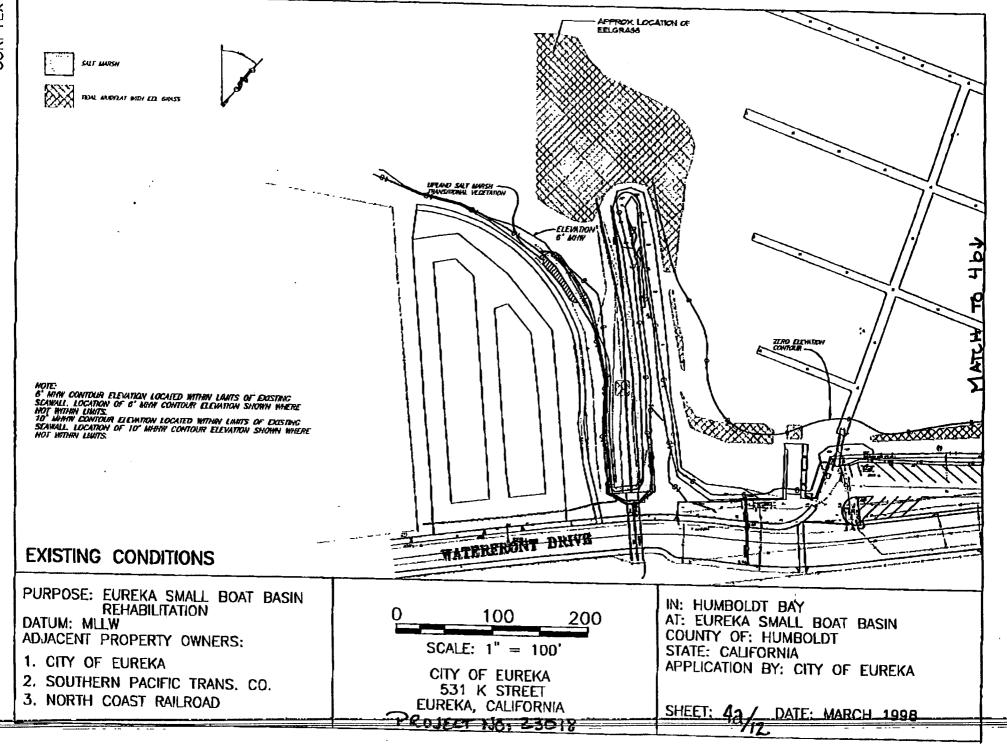
SIRET: 2/12 DATE: MARCH 1998

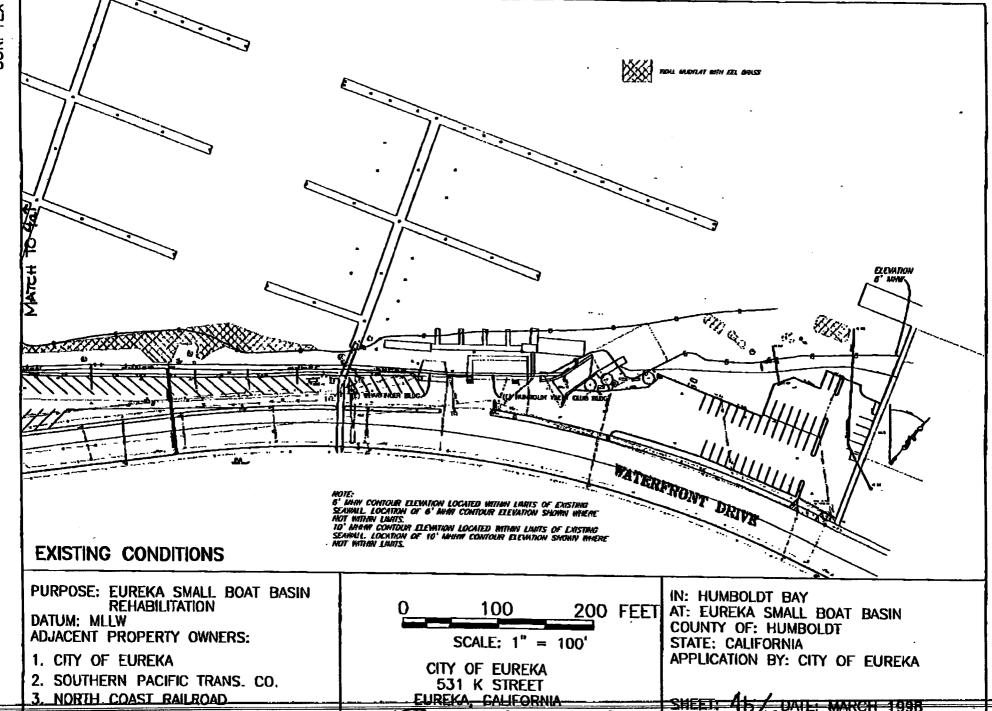
PROJECT NO: 23018

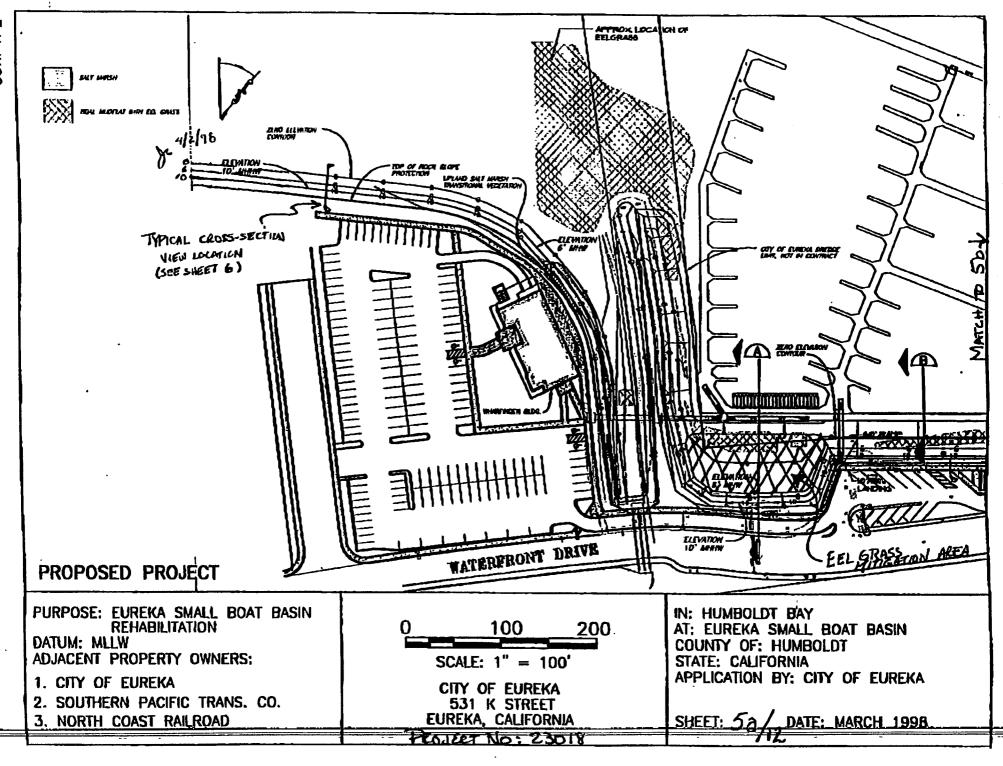
See Sheets 5a and 5b for greater detail

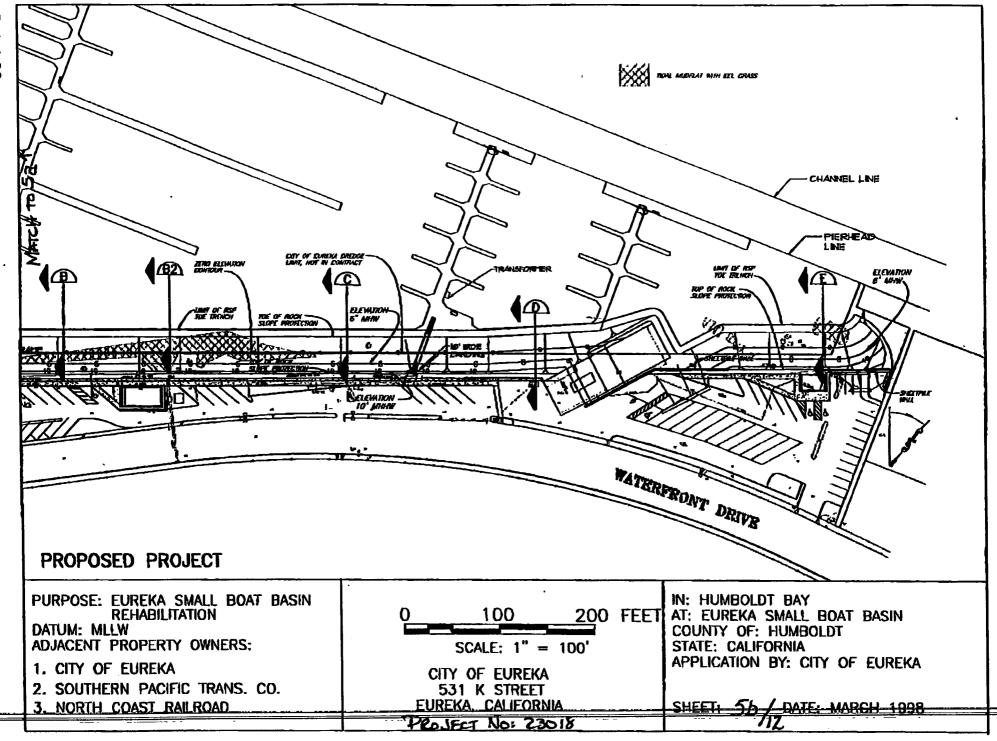


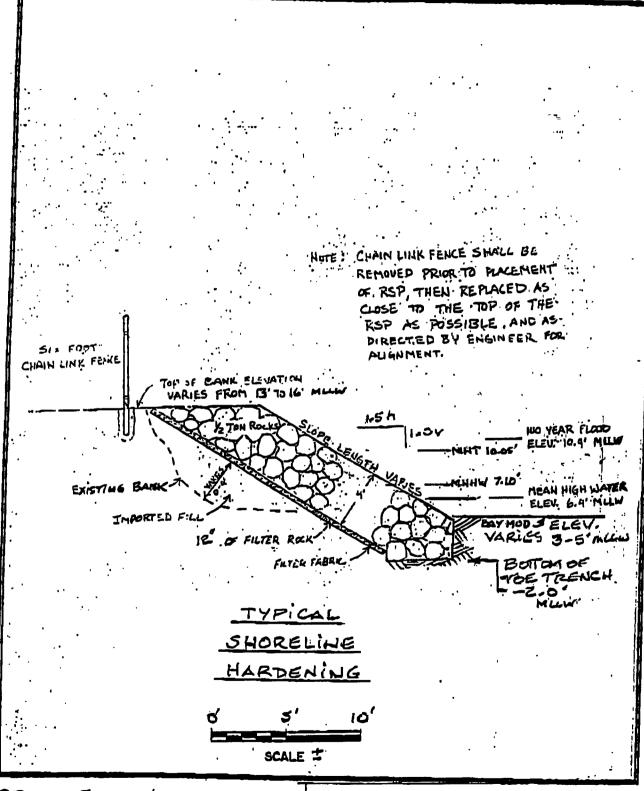
Project No 23012











CROSS-SECTION OF

PECKSCOPE PROTECTION

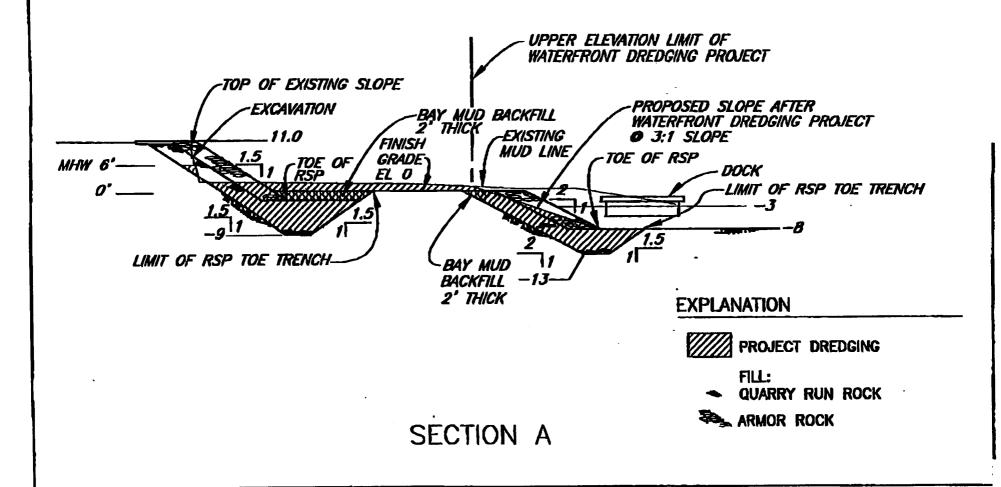
ADJACENT TO

WHARFINGER BUILDING

AND PARKING LOT

IN: HUMBOLDT BAY
AT: EUREKA SMALL BOAT BASIN
COUNTY OF: HUMBOLDT
STATE: CALIFORNIA
APPLICATION BY: CITY OF EUREKA
PROJECT NO: 23018

SHEET: 6 /12 DATE: MARCH 1998



PURPOSE: EUREKA SMALL BOAT BASIN REHABILITATION

DATUM: MLLW

ADJACENT PROPERTY OWNERS:

- 1. CITY OF EUREKA
- 2, SOUTHERN PACIFIC TRANS. CO.
- 3. NORTH COAST RAILROAD

O 20 40 FEET

SCALE: 1" = 20'

CITY OF EUREKA

CITY OF EUREKA
531 K STREET
EUREKA, CALIFORNIA
PROJECT NO: 230 S

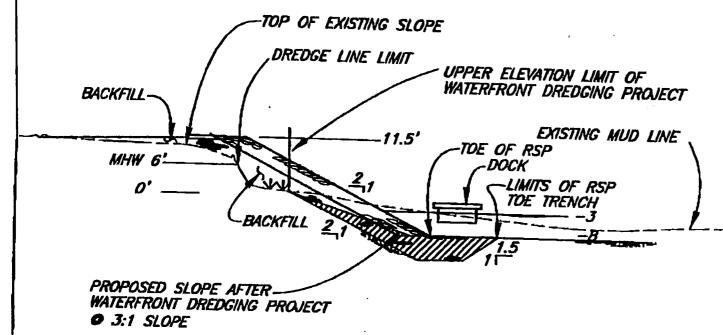
IN: HUMBOLDT BAY

AT: EUREKA SMALL BOAT BASIN

COUNTY OF: HUMBOLDT STATE: CALIFORNIA

APPLICATION BY: CITY OF EUREKA

SHEET: 7 /17 DATE: MARCH, 1998



SECTION C

EXPLANATION

PROJECT DREDGING

FILL

QUARRY RUN ROCK

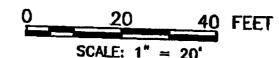
ARMOR ROCK

PURPOSE: EUREKA SMALL BOAT BASIN REHABILITATION

DATUM: MLLW

ADJACENT PROPERTY OWNERS:

- 1. CITY OF EUREKA
- 2. SOUTHERN PACIFIC TRANS. CO.
- 3. NORTH COAST RAILROAD



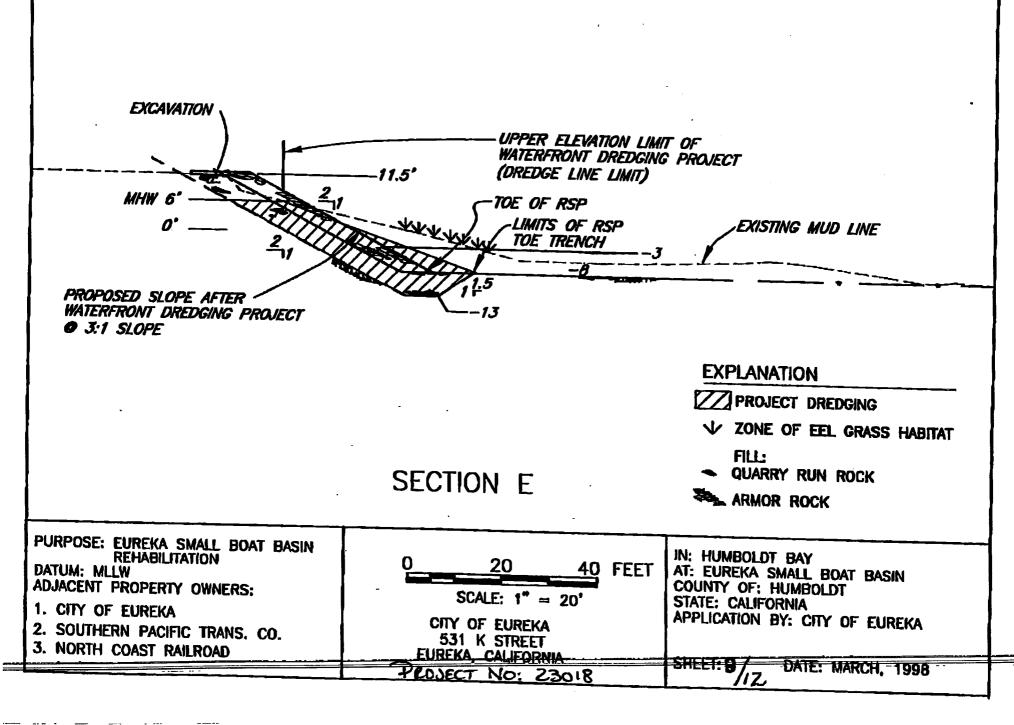
CITY OF EUREKA 531 K STREET EUREKA, CALIFORNIA IN: HUMBOLDT BAY

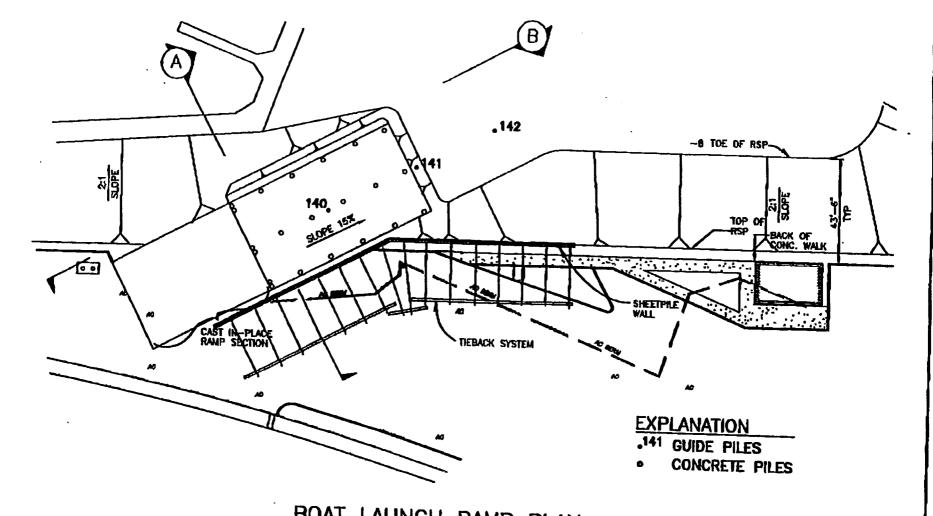
AT: EUREKA SMALL BOAT BASIN

COUNTY OF: HUMBOLDT STATE: CALIFORNIA

APPLICATION BY: CITY OF EUREKA

SHEET: 8 / DATE: MARCH, 1998





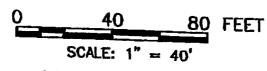
BOAT LAUNCH RAMP PLAN

PURPOSE: EUREKA SMALL BOAT BASIN REHABILITATION

DATUM: MLLW

ADJACENT PROPERTY OWNERS:

- 1. CITY OF EUREKA
- 2. SOUTHERN PACIFIC TRANS. CO.
- 3. NORTH COAST RAILROAD



CITY OF EUREKA 531 K STREET EUREKA, CALIFORNIA. PROJECT NO: 23018 IN: HUMBOLDT BAY

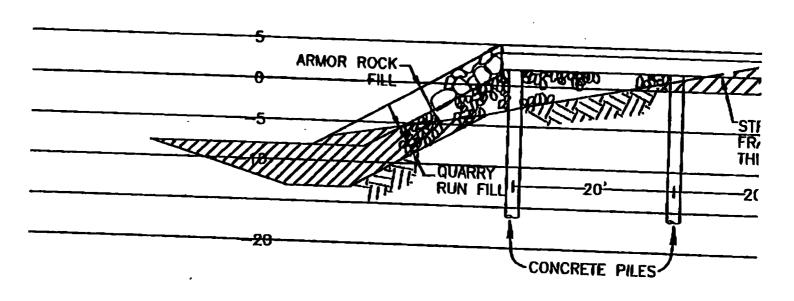
AT: EUREKA SMALL BOAT BASIN

COUNTY OF: HUMBOLDT

STATE: CALIFORNIA

APPLICATION BY: CITY OF EUREKA

SHEET: 10/12 DATE: MARCH, 1998



EXPLANATION

PROJECT DREDGING — SEE SECTION D FOR DREDGING, EXCAVATION, AND RSP DETAILS

BOAT LAUNCH RAMP SECTION A

PURPOSE: EUREKA SMALL BOAT BASIN REHABILITATION

DATUM: MLLW

ADJACENT PROPERTY OWNERS:

- 1. CITY OF EUREKA
- 2. SOUTHERN PACIFIC TRANS. CO.
- 3. NORTH COAST RAILROAD

SCALE: 1" = 20'

CITY OF EUREKA
531 K STREET
EUREKA, CALIFORNIA

PROJECT NO: 23018

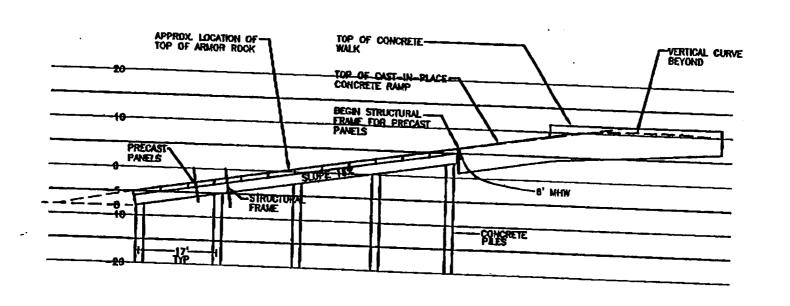
IN: HUMBOLDT BAY

AT: EUREKA SMALL BOAT BASIN COUNTY OF: HUMBOLDT

STATE: CALIFORNIA

APPLICATION BY: CITY OF EUREKA

SHEET: 11/2 DATE: MARCH, 1998



BOAT LAUNCH RAMP SECTION B

PURPOSE: EUREKA SMALL BOAT BASIN REHABILITATION

DATUM: MLLW
ADJACENT PROPERTY OWNERS:

1. CITY OF EUREKA
2. SOUTHERN PACIFIC TRANS. CO.
3. NORTH COAST RAILROAD

O 20 40 FEET

SCALE: 1" = 20'

CITY OF EUREKA
531 K STREET
EUREKA, CALIFORNIA

PROJECT NO: 23018

IN: HUMBOLDT BAY
AT: EUREKA SMALL BOAT BASIN
COUNTY OF: HUMBOLDT
STATE: CALIFORNIA
APPLICATION BY: CITY OF EUREKA

SHEET: 12/12 DATE: MARCH, 1998